

Senate File 462 - Introduced

SENATE FILE 462
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1055)

A BILL FOR

1 An Act making certain synthetic cannabinoids schedule I
2 controlled substances, providing penalties, and including
3 effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.204, subsection 4, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *ai.* Any substance, compound, mixture,
4 or preparation which contains any quantity of any synthetic
5 cannabinoid that is not approved as a pharmaceutical, including
6 but not limited to the following:

7 (1) CP 47, 497 and homologues 2-[(1R, 3S)-3-
8 hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol).

9 (2) HU-210[(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-
10 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
11 chromen-1-ol)].

12 (3) HU-211(dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-
13 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
14 chromen-1-ol).

15 (4) JWH-018 1-Pentyl-3-(1-naphthoyl)indole.

16 (5) JWH-073 1-Butyl-3-(1-naphthoyl)indole.

17 (6) JWH-200 [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-
18 naphthalenyl-methanone.

19 Sec. 2. Section 124.401, subsection 1, paragraph c,
20 subparagraph (8), Code 2011, is amended to read as follows:

21 (8) Any other controlled substance, counterfeit substance,
22 or simulated controlled substance classified in schedule I, II,
23 or III, except as provided in paragraph "d".

24 Sec. 3. Section 124.401, subsection 1, paragraph d, Code
25 2011, is amended to read as follows:

26 *d.* Violation of this subsection, with respect to any other
27 controlled substances, counterfeit substances, or simulated
28 controlled substances classified in section 124.204, subsection
29 4, paragraph "ai", or in schedule IV, or V is an aggravated
30 misdemeanor. However, violation of this subsection involving
31 fifty kilograms or less of marijuana or involving flunitrazepam
32 is a class "D" felony.

33 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
34 immediate importance, takes effect upon enactment.

35

EXPLANATION

1 This bill adds certain synthetic cannabinoids to the list of
2 schedule I controlled substances.

3 The bill adds certain synthetic cannabinoids, also known
4 as "K2", to the list of schedule I controlled substances in
5 addition to the tetrahydrocannabinols and synthetic equivalents
6 listed in schedule I under Code section 124.204(4)(u).

7 A schedule I controlled substance is considered to have a
8 high potential for abuse and no medical purpose in treatment in
9 the United States.

10 The bill makes it an aggravated misdemeanor pursuant to
11 Code section 124.401, subsection 1, paragraph "d", for any
12 unauthorized person to manufacture, deliver, or possess with
13 the intent to manufacture or deliver, a synthetic cannabinoid,
14 including its counterfeit or a simulated form, or to act with,
15 enter into a common scheme or design with, or conspire with one
16 or more other persons to manufacture, deliver, or possess with
17 the intent to manufacture or deliver a synthetic cannabinoid.

18 The bill also makes it a serious misdemeanor pursuant to Code
19 section 124.401, subsection 5, for any unauthorized person to
20 possess a synthetic cannabinoid.

21 An aggravated misdemeanor is punishable by confinement for
22 no more than two years and a fine of at least \$625 but not
23 more than \$6,250. A serious misdemeanor is punishable by
24 confinement for no more than one year and a fine of at least
25 \$315 but not more than \$1,875.

26 The bill takes effect upon enactment.